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Attorneys for Defendants
 UHS OF DELAWARE, INC. and
 VALLEY HEALTH SYSTEM LLC

UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

GARY DAVIS and SCOTT SCRIBNER,

Plaintiffs,

vs.

UNIVERSAL HEALTH SERVICES INC.,
 a Delaware Corporation; UHS OF
 DELAWARE, INC., a Delaware
 Corporation; VALLEY HEALTH
 SYSTEM LLC, a Delaware Limited
 Liability; et al.,

Defendants.

Case No. 2:21-cv-00008-RFB-NJK

**STIPULATION AND ORDER TO
 CONTINUE TRIAL**

(FIRST REQUEST)

Pursuant to LR IA 6-1, IA 6-2, LR 7-1, and 26-3, Defendants UHS OF DELAWARE, INC. (“UHS of Delaware”) and VALLEY HEALTH SYSTEM LLC (“Valley Health”) (collectively “Defendants”), and Plaintiff GARY DAVIS (“Plaintiff”), by and through their respective attorneys of record, hereby stipulate to continue the trial, which is currently scheduled for the stacked calendar of December 16, 2024, for at least seventy-five (75) days to a date convenient for the Court no sooner than March 1, 2025. This is the first request for an extension to continue the trial. The requested extension is sought in good faith and not for purposes of delay.

Per Judge Richard F Boulware's Order Regarding Trial, (ECF No. 67), the parties have conferred with our respective clients and each other, and stipulate and agree that this case will not be ready for the December 16, 2024 trial stack. Specifically, Defendants' counsel both have a week-long trial¹ before the Honorable Judge Gordon scheduled to begin on October 21, 2024, which will impede Defendants' ability to prepare for this trial. Moreover, Defense Counsel Wendy Krincek has an arbitration scheduled to begin on November 18, 2024. These conflicts, coupled with the upcoming holidays, necessitate a continuance to 2025. Additionally, Plaintiff's counsel is unavailable for most of the month of January and is unable to address any pretrial dates that could occur that month, including any deadline for motions in limine. Therefore, the parties respectfully request that the currently scheduled trial dates be continued at least seventy-five (75) days to March 1, 2025, or later, to a time convenient for the Court to account for these conflicts and the upcoming holidays.

Moreover, the parties jointly request that this matter be set for a settlement conference at the Court's convenience.²

Dated: October 4, 2024

Dated: October 4, 2024

Respectfully submitted,

Respectfully submitted,

/s/ Michael P. Balaban
MICHAEL P. BALABAN, ESQ.
LAW OFFICES OF MICHAEL P.
BALABAN

/s/ Kelsey E. Stegall
WENDY M. KRINCEK, ESQ.
KELSEY E. STEGALL, ESQ.
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Attorneys for Plaintiffs

Attorneys for Defendants

¹ See Case No. 2:19-cv-01174-APG-EJY *Ramirez v. Wynn Las Vegas, LLC*.

² The parties reserve the right to seek an additional continuance depending on when the settlement conference is scheduled in relation to the new trial date in order to allow the parties enough time to adequately prepare.

ORDER

IT IS SO ORDERED that the trial set for December 16, 2024 is VACATED as are all related deadlines and the Calendar call.

IT IS FURTHER ORDERED that this matter is hereby referred to the Honorable Nancy J. Koppe, U.S. Magistrate Judge, for the scheduling of a settlement conference when deemed appropriate.

FINALLY IT IS ORDERED, Counsel shall file a Joint Status Report or an Amended Joint Pretrial Order requesting a new trial date once the settlement conference concludes.

Dated this 15th day of October, 2024



UNITED STATES DISTRICT JUDGE